

Notes and Documents

Sir William Berkeley—Portrait By Fischer: A Critique

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With a Rejoinder by David Hackett Fischer

SIR William Berkeley figures prominently in David Hackett Fischer's *Albion's Seed: Four British Folkways in America*. Fischer depicts Berkeley as a "proud young cavalier" who was "destined to rule the colony of Virginia for more than thirty years. In that period, he had a profound impact upon its development. At a critical moment, he bent the young sapling of its social system and made it grow in the direction that he wished. The cultural history of an American region is in many ways the long shadow of this extraordinary man" (pp. 207–208). Fischer's description of Chesapeake culture has drawn its share of critical fire, as has the rest of *Albion's Seed*, but his picture of Virginia's controversial governor has gone unchallenged.¹

That portrayal is grounded in a small amount of empirical fact. Its major features derive from the following pieces of evidence: (1) the governor's career prior to 1641, (2) two of Berkeley's letters, (3) an act of assembly of March 1655/6, (4) Berkeley's will, and (5) Berkeley's *A Discourse and View of Virginia*. Fischer's use of these sources reveals some puzzling inaccuracies and misstatements that inevitably lead to questionable conclusions and cast doubt upon Fischer's Berkeley.

(1) Fischer describes Berkeley as coming from a "powerful West Country family." The future governor was a promising cavalier "of a scholar's bent" who wrote plays, one of which, *The Lost Lady*, he published

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¹ See, for example, "Forum: *Albion's Seed: Four British Folkways in America*—A Symposium," *William and Mary Quarterly*, 3d Ser., XLVIII (1991), 223–308.

in 1639. He found favor with Charles I through his brother "John Lord Berkeley." The king appointed him a gentleman of the privy chamber, knighted him "in the field at Berwick" in 1639, and appointed him governor of Virginia two years later" (pp. 208–209).

As far as they go, the outlines of Berkeley's activities down to 1641 are accurate; the facts Fischer uses to sketch them are less so. We know that Berkeley wrote *The Lost Lady* in late 1637 because George Garrard remarked to Thomas Wentworth, earl of Strafford, in a letter dated February 7, 1637/8, that "two of the King's Servants, Privy-Chamber Men both, have writ each of them a Play, Sir *John Sutlin* and *Will. Barclay*, which have been acted in Court, and at the *Black Friars*, with much Applause." The first printed version of the play was entered in the Stationer's Register on March 5, 1637/8.² (Fischer evidently used the second edition when he dated the play.) *The Lost Lady* was again performed at Whitehall three weeks after its publication.³

Berkeley belonged to a circle of playwrights, artists, and intellectuals who looked to Queen Henrietta Maria for patronage. The group included Ben Jonson, John Donne, Sir John Suckling, and Berkeley's cousin, the playwright, impresario, and sometime diplomat Thomas Killigrew. By the summer of 1638, however, Berkeley had another occupation that put an end to his play writing. Secretary of State Sir John Coke sent him to the Netherlands to persuade Henrietta Maria's mother, Marie de Medici, not to visit England for fear her presence would add to Charles I's mounting political woes.⁴

John Lord Berkeley did not introduce William to Charles I. In the 1630s, John, the governor's youngest brother, was not yet baron Berkeley of Stratton, and he had no special relationship with the king at that time. (John's elevation to the peerage came in 1658 at Brabant while Charles II was an exile in the Netherlands.) John and William were knighted at Berwick on July 27, 1639.⁵

Who introduced the younger Berkeley brothers to the court is a mystery. Perhaps it was Charles Berkeley. Possibly their cousin, Henry Jermyn, that devoted confidant of Henrietta Maria who joined her retinue in 1628, made

² Thomas Wentworth, *The Earl of Strafforde's Letters and Despatches*, [William Knowler, ed.], (London, 1739), II, 150; Jacobean and Caroline Revels Accounts, 1603–1642, Malone Society, *Collections*, XIII (1986), 138–139; Edward Arber, ed., *A Transcript of the Registers of the Company of Stationers of London, 1554–1640* (London, 1875–1877), V, 384. Mar. 5 was the day the printer John Oakes registered the edition, so he may have printed it somewhat earlier.

³ Alfred Harbage, *Cavalier Drama: An Historical and Critical Supplement to the Study of the Elizabethan and Restoration Stage* (New York, 1936), 115.

⁴ Berkeley to Sir John Coke, Oct. 10, 1638, SP 84/154, 417, Public Record Office, London. As I discovered while searching out Berkeley documents, the biographical entries in the *Dictionary of National Biography* and the *Dictionary of American Biography* contain as much misinformation as fact.

⁵ Landsdowne Ms. 879, British Library, London; Arthur Collins, comp., *The Peerage of England; Containing A Genealogical and Historical Account of all the Peers of England . . .*, 3d ed. (London, 1756), 185–202. Charles Berkeley became treasurer of Charles II's household.

the introduction. Another possible candidate is Sir Thomas Roe, a relation by marriage and a diplomat of some consequence. Roe certainly played a hand in Sir William's decision to seek the post of governor of Virginia.

The manner of that appointment was more involved and significant than Fischer intimates. Berkeley, always one to use his court connections to improve his fortunes, nevertheless espoused the convictions of a cavalier who stoutly believed in monarchy as the bedrock of English polity but who was profoundly wary of Charles I, a ruler he thought weak and untrustworthy. He therefore gravitated toward the likes of Roe, Lucius Cary, second viscount Falkland, and Sir Edward Hyde, whom he met at Middle Temple in the 1620s.

In the spring of 1641, about the time Berkeley contemplated the declining state of his prospects and England's drift toward civil war, Strafford was impeached and condemned to die. Soon after Strafford perished on the block, Berkeley sought foreign employment, and he turned to Roe for assistance. Roe pointed him toward a diplomatic slot at Constantinople, which he nearly took. Then another opportunity, the Virginia governorship, presented itself. By means that are not now clear, Berkeley induced Sir Francis Wyatt, the incumbent governor, to sell him the office, even as he successfully lobbied Charles for the appointment. And so, like others of his countrymen, he abandoned England for the colony. Thus began his personal passage from cavalier to Virginian.⁶

(2) Fischer comments that "in many ways, Berkeley was not an admirable character." The governor "set a sad example for speculation that long persisted in Virginia." As evidence of this assertion, Fischer produces a quotation from a letter Berkeley sent to Henry Bennet, first earl of Arlington, in 1667. The passage reads: "Though ambition commonly leaves sober old age, covetousness does not. I shall therefore desire your lordship to procure of His Majesty the customs of two hundred hogsheads of tobacco" (p. 209).

Again, the characterization is not entirely off its mark. A thoughtful clever fellow of an inventive turn of mind, Berkeley was as arrogant as any of his class. He was a man of fierce temperament; much about him neither charmed nor endeared him to his contemporaries. Sharp-eyed and alert to the main chance, he was yet no thief. The evidence for his supposed speculations is of dubious value because the quotation from the letter to Arlington is taken out of context. Here is the paragraph from which it was drawn.

I have donne the king and his blessed father al faithful service in my station but am as farr from pretending to merit to my king as the most pretending presbiteran is from god. Yet though Ambition commonly

⁶ Richard Cave to Sir Thomas Roe, Aug. 20, 1641, SP 16/483, 74, PRO; Henry Robinson to Sir Henry Mildmay, Nov. 5, 1641, SP 16/483, 61, PRO; letters patent to Sir William Berkeley, Aug. 9, 1641, C.66/2895, PRO; articles of agreement between Berkeley and Sir Francis Wyatt, Sept. 4, 1641, Main Papers, House of Lords Records Office, Westminster.

leaves sober old age covetousness does not. I shal therefore desire of your Lordship to procure of his majestie the customes of two hundred Hogsheads of Tobacco I have now sent home. I have expended more on the extraordinary charges of this warr [i.e., the Second Anglo-Dutch War]. I shall desire my brother to sollicit your Lordship for this grant who is the cause of this Tobacco request. My Lord the grave cause of mistakes in this world is that we thinke every one knowes our inclinations and affections as wel as we doe our selves and that often puts us on [unmanerly?] petitions and if this be of that nature I humbly beg pardon but never cease to be a thankful acknowledger of the favors you have been pleased to shew my Brother.⁷

As is clear from the full text, Berkeley sought the favor not for himself but for his brother, Lord John. His request was neither unreasonable nor unethical, given that, in defending his government, he had spent out of pocket a sum greater than the duty on 200 hogsheads of tobacco. The solicitation is surely no proof of Berkeley's "peculations."

Fischer employs another Berkeley letter to demonstrate how the governor attempted "to establish an Indian slave trade." To that end, he has Berkeley writing these words to Major General Robert Smith:

I think it is necessary to destroy all these northern indians. . . . 'Twill be a great terror and example and instruction to all other Indians . . . it may be done without charge, for the women and children will defray it [p. 387].

The complete text of the letter casts those phrases in altogether different terms.

Sir, [Green Spring?], 22 June 1666

I wrote my first Letter to you in hast the Minute after I read yours but since I have collected my Selfe I thinke it is necessary to Destroy all these Northern Indians for they must Needs be Conscious of the Coming of these other Indians 'twill be a great Terror & Example of Instruction to all other Indians. If you the Councell nere you and the Councill of Warr be of this opinion it may be done without Charge for the Women & Children will Defray it. Lett me heare from you what you thinke of it and if the first Impulse of our resentment doe not Deceive me and lead too much I thinke this Resolution to be of absolute necessity if your young men will not undertake it alone there will be enow from hence will undertake it for their share of the booty. Your most affectionate Humble Servant,

William Berkeley⁸

⁷ Berkeley to Arlington, autograph letter, June 5, 1667, CO 1/21, 100, PRO. The rendition here will appear in the published Berkeley papers.

⁸ Copy, Old Rappahannock County Deeds, Wills, and Orders, 1665-1668, 57,

The exchange with Smith was not about establishing Indian slavery; it was about warring on Indians. Those so-called Northern Indians had probably ranged south from Maryland or New York and raided the outlying settlements along the western edges of the Northern Neck. Smith was Berkeley's second in command of the colony's militia. As such, the major general, who lived in the then-Rappahannock County, had responsibility for defending the colonists. Anglo-Indian relations were quite strained in the 1660s, as this letter attests. Berkeley's suggestion that extirpation would set a terrifying example was consistent with his policy for maintaining peace. So too was his comment that any captives might be sold for slaves. Those natives who kept the peace were to be left alone, as had been the case ever since the conclusion of the Anglo-Indian War of 1644–1646.⁹

(3) Fischer asserts that Berkeley, like other gentlemen planters, "repeatedly expressed an intense contempt for trade, even as they were compelled to engage in it on a daily basis. They were even more contemptuous of traders, at the same time they were forced to deal with them." But Berkeley "also recognized the necessity of these mercenary people whom he so despised. He actively recruited them for the colony, and encouraged the creation of markets and entrepôts." Fischer finds support for these assertions in "one of [Berkeley's] statutes" (pp. 366–367).

That statute, "An Act for the repealing the Act for Marketts and regulating of Trade," passed the General Assembly in March 1656, four years after Berkeley surrendered Virginia to the Puritans and retired to Green Spring. The act overturned a 1652 law establishing a public market at Jamestown, which evidently never materialized.¹⁰

As to the important issue of Berkeley's attitude toward commerce, the governor did not disdain commerce, he reveled in it. He advocated economic diversification with unceasing energy. He produced flax, silk, and potash, and he tried his hand at erecting iron foundries. Experimenting with sericulture, he joined hands with another leading colonial silk producer, Edward Digges. Their efforts linked them to people like Samuel Hartlib and John Farrar, who touted silk as a lucrative substitute for tobacco. It was Berkeley who introduced Virginians to cultivating rice, a crop he routinely marketed along with tobacco. At Green Spring he also maintained orchards and vineyards from which he produced considerable

Virginia State Library and Archives, Richmond. The rendition here will appear in the published Berkeley papers.

⁹ Wesley Frank Craven, "Indian Policy in Early Virginia," *WMQ*, 3d Ser., I (1944), 65–82; Warren M. Billings, ed., *The Old Dominion in the Seventeenth Century: A Documentary History of Virginia, 1606–1689* (Chapel Hill, N. C., 1975), 209–211.

¹⁰ William Waller Hening, ed., *The Statutes at Large; Being a Collection of all the Laws of Virginia . . .* (New York, 1809–1823), I, 397; Billings, ed., "Some Acts Not in Hening's *Statutes*: The Acts of Assembly, April 1652, November 1652, and July 1653," *Virginia Magazine of History and Biography*, LXXXIII (1975), 52–53.

quantities of spirits for export. He speculated in real estate. Not only was he a founding proprietor of Carolina, but he countenanced explorations of the colony's vast interior beyond the fall line, one of which he may have undertaken himself. His commercial contacts with the Dutch at New Amsterdam and the Netherlands were considerable. Even though he passionately loathed Puritan New Englanders, he had not the slightest scruple about trading with them. The variety of his business dealings and agricultural experiments made him an advocate of free trade and a considerable foe of the navigation system. To say that the governor despised commercial pursuits is thus to ignore a ponderable quantity of contrary evidence.¹¹

Berkeley directed his animus not at all merchants or traders but only at those who used their connections at court to push policies that he deemed inimical to Virginia interests. He went to England in 1661 to work against the London merchants whom he believed were the main backers of the emerging trade laws. During the Second and Third Anglo-Dutch wars he stiffly opposed them on defense policy, and he blamed the Londoners' sharp practices for the discontent that caused Bacon's Rebellion.

(4) "On the subject of marital relations," argues Fischer, "Sir William Berkeley set his colony a high example of marital felicity and domestic peace." Berkeley's will, he states, "testified to his love for his wife and to the happiness of their married life together. Governor Berkeley left all his property to his 'dear and virtuous wife,' declaring that 'if God had blessed me with a far greater estate, I would have given it all to my most dearly beloved wife.' The tone of this document," Fischer continues, "captured the ideal of conjugal relations in both England and the Chesapeake—a devoted husband, a virtuous wife, and a loving life together" (pp. 286–287).

Touching as that passage from Berkeley's will may seem, it is not necessarily as revealing of Sir William's sentiments as Fischer would have it. Wills written on both sides of the Atlantic customarily contained similar pronouncements. As often as not, they were merely lifted from models taken out of *Symboleographie* or any number of other form manuals that circulated in Berkeley's day. Having trained at Middle Temple, Berkeley would surely have been acquainted with such works. Read one way, then, the passage can be construed as only so much legal boilerplate.¹²

¹¹ Sister Joan de Lourdes Leonard, "Operation Checkmate: The Birth and Death of a Virginia Blueprint for Progress 1660–1676," *WMQ*, 3d Ser., XXIV (1967), 44–74; John C. Rainbolt, *From Prescription to Persuasion: Manipulation of Seventeenth Century Virginia Economy* (Port Washington, N. Y., 1974), 35–101; Samuel Hartlib, ed., "The Reformed Virginian Silk-Worm . . .," in Hartlib, ed., *The Reformed Commonwealth of Bees* (London, 1655), passim; *A Perfect Description of Virginia* . . . (London, 1649), 6, 11, 14; Berkeley to Edward Hyde, earl of Clarendon, Mar. 30, 1663, Egerton Ms. 2395, British Library; Berkeley to Arlington, June 12, 1669, CO 1/24, 121, PRO; Berkeley to Arlington, June 13, 1670, CO 1/25, 79, PRO.

¹² William West, comp., *The First Part of Symboleographie: Which may be termed The Art, or Description, of Instruments and Presidents* (London, 1647), sect. 642.

The marriage, the second for both partners, was close, though no one can say that it was loving. The evidence for such an assumption is all but nonexistent. This much is clear. The marriage lasted but seven years, and Frances Culpeper Stephens Berkeley was no ornament, nor was she a mere token of virtuous, highborn English womanhood. She made her weight felt in Anglo-Virginia politics during and after the governor's lifetime. Her favor as mistress of Green Spring opened doors to preferment; her enmity closed them. Berkeley depended heavily upon her judgment in the last years of his administration, and he dispatched her to Whitehall in the summer of 1676 to defend his handling of Bacon's Rebellion. After he died, she turned a hard face toward his successors and encouraged leading Virginians to oppose them.¹³

(5) Berkeley's *A Discourse and View of Virginia* is for Fischer a crucial piece of evidence. He draws upon it more than any of the others mentioned here, and he uses it as the clincher in his argument that Berkeley's most important contribution to emerging American culture was the "recruitment of a Royalist elite for Virginia" (p. 212). Writes Fischer, "after the Restoration . . . Sir William Berkeley continued his recruiting campaign. In 1663 he published a pamphlet addressed to younger sons of England's great families" (p. 214). Fischer then quotes what for him is the operative portion of the *Discourse*:

A small sum of money will enable a younger brother to erect a flourishing family in a new world; and add more strength, wealth and honor to his native country, than thousands did before, that dyed forgotten and unrewarded in an unjust war . . . men of as good families as any subjects in England have resided there, as the Percys, the Barkleys, the Wests, the Gages, the Throgmortons, Wyatts, Digges, Chichelys, Moldsworths, Morrisons, Kemps, and hundreds others which I forbear to name, lest I should misherald them in this catalogue [p. 214].

Three factual errors call Fischer's interpretation of Berkeley's contribution into doubt. First, Fischer errs on when Berkeley wrote his pamphlet. The initial citation to the *Discourse* (p. 210, n.7) reveals the cause of the error. Fischer relies upon the 1914 facsimile edition, which is understandable because the original is quite rare. The reprint contains a title page that reads "A/ DISCOURSE/ And View of/ VIRGINIA/ By/ SIR WILLIAM BERKELEY/ (Governor of Virginia)/ LONDON/ 1663." Unfortunately, the editor or the printer of the facsimile seems to have invented both the title page and the date of publication out of whole cloth. Neither is correct.¹⁴

¹³ Jane D. Carson, "Lady Frances Berkeley," in Edward T. James et al., eds., *Notable American Women, 1607-1950: A Biographical Dictionary* (Cambridge, Mass., 1971), I, 135-136; Billings, "Berkeley and Effingham: Who Cares?" *VMHB*, XCVII (1989), 39-40.

¹⁴ Edited by Thomas R. Stewart and published by William H. Smith of Norwalk,

Six copies of the seventeenth-century printing survive in libraries in England, Ireland, and the United States—at the British Library, the Library of Christ Church, Oxford, Trinity College (Dublin), the John Work Garrett Collection in the Milton S. Eisenhower Library at Johns Hopkins University, Princeton University, and the Huntington Library. Each copy has a caption title on page 1 but no publication date or authorial attribution.¹⁵

Several clues point to 1662 as the date of publication. The British Library copy bears the note, “By the famous Sir William Berckley 1662.” A seventeenth-century manuscript text, also at the British Library, has “Treatise of Sr. Wm. Berkley in Print 1662” written across the upper left corner of the first page. Those notations are in later hands, which could lead one to doubt their accuracy. Their validity is reinforced, however, by an inscription on the Garrett Collection copy that says, “Given me by Sr. Wm. Barkley Gov Virginia Febr. 5. 1661 [i.e., 1662]. Anglesey.” Clearly, Anglesey’s writing indicates the *Discourse* existed in print before February 1661/2.¹⁶

Anglesey’s ownership points up Fischer’s second factual mistake because it hints at why Berkeley penned the *Discourse* in the first place. His motives had nothing to do with encouraging younger sons of former royalists to emigrate to Virginia. Instead, the *Discourse* was aimed at influencing Charles II and his advisers.

Arthur Annesley, first earl of Anglesey, sat on the Privy Council. He was also a member of the councils of Trade and Plantations, the bodies that advised Charles on colonial trade matters. Anglesey was part of the reason why Berkeley was in London in 1661 and 1662 to lobby against the navigation system and to win royal countenance for his scheme to diversify the Virginia economy. The *Discourse* was one of his lobbying tools: he had just enough copies printed to distribute to the privy councillors and the commissioners, and he never intended it for public sale.¹⁷

Third, the form of the quotation in *Albion’s Seed* is nowhere to be found in the *Discourse*, although Fischer’s footnote (p. 214, n.6) indicates that it

Conn., the facsimile is itself now quite rare as only 250 copies were issued. The style of the type used on the title page differs from that of the pamphlet.

¹⁵ I examined the British Library copy in 1989. Details of the others were furnished through correspondence; H.J.R. Wing to author, Jan. 17, 1991; L. K. Shackleton to author, May 15, 1991; Judith Gardner-Flint to author, Aug. 3, 14, 1990; Alan Jutzi to author, Aug. 20, 1990; Reid H. Mitchell to author, May 7, 1990.

¹⁶ The manuscript copy is in Egerton Ms. 2395, British Library, a collection that once belonged to Thomas Povey, who was active in colonial affairs in the 1650s and 1660s. This suggests that Berkeley may have given the manuscript, which has the appearance of a presentation copy, to Povey. It is written on good quality, heavy paper, and the text is bounded by red ruled margins. The hand is not Berkeley’s.

¹⁷ That Berkeley directed the *Discourse* to the king and council is plainly evident at pp. 4, 5, 8, and 9. Then, too, his oral presentation to the Committee for Foreign Plantations summarized portions of the *Discourse*, CO 1/16, 183–184, PRO.

is on page 3. In truth, the first part of Fischer's quotation—up to the ellipsis—is from a paragraph on page 9 that reads in full as follows:

Fourthly, when in the past Ages to disburden the Kingdom of indigent younger Brothers, whom the peculiar policy of this Nation condemned to poverty or War, we were forced to undertake the assistance of Rebels, which God of late has revenged on our own bowels; now there can be no necessity of that sin or misery, for a small summe of money will enable a younger Brother to erect a flourishing Family in a new World; and adde more Strength, Wealth, and Honour, to his Native Country, then thousands did before, that dyed forgotten and unrewarded in an unjust War.

In the *Discourse*, this paragraph concludes an argument whereby Berkeley sought to demonstrate to Charles II and his advisors "the care, providence, and indulgence the Nation ought to have of forreign Plantations." While he did speak of younger sons, his point was that Virginia drew all classes, not just royalists, and that in so doing the colony contributed to the benefit of England.

The remainder of the Fischer quotation is indeed on page 3 of the *Discourse*, but this is how Berkeley put it.

Another great imputation lyes on the Countrey that none but those of the meanest quality and corrupt lives go thither. This to our Maligners we would easily grant, if they would consent to the *omen* of it; for was not *Rome* thus begun and composed? and the greatest honour that was given to *Romulus* and his City was this, that his severity and discipline in his time, made them formidable to their neighbours, and his posterity the masters of the world. But this is not all truth, for men of as good Families any Subjects in England have resided there, as the *Percys*, the *Barkleys*, the *Wests*, the *Gages*, the *Wyats*, *Degges*, *Chickeleys*, *Moldsworths*, *Morrison*s, *Kemps*, and hundreds others, which I forbear to name, lest I should misherald them in the Catalogue. But grant it were thus, is this any imputation to the place, that those come from hence with those ungoverned manners and affections, change them there for sober and thrifty passions and desires, which is evident in most that are there; and those that will either experimentally or morally weigh the nature and conditions of men, shall find, that naturally this change will follow the alteration in our conditions: For who experimentally in *England* are more prodigal and riotous then the younger brothers of it, who have the least Fond to maintain and continue either of them? who less careful of their Estates then those, whose early negligence hath engaged them to the Userer? and the natural reason is evident, for it is hope and a proposed end that quickens our industry, and bridles our intemperance; but when *Cui bono* shall be objected, wretchednesse and a desire of present pleasures will invade us: But this is not so in our

Plantations; for we find there that if we provide for our Posterity for many Ages; the manifest knowledge of this makes men industrious and vigilant with us, who were having no Vineyards to dresse, stood idle in Market-place till the eleventh hour.¹⁸

Here again, Fischer misses Berkeley's purpose. Berkeley addressed men who had no firsthand knowledge of Virginia. He understood that the king and his advisors had been cut off from any but incidental information about the colony during the Interregnum. Consequently, their knowledge rested largely on secondhand sources, many of which portrayed Virginia in unflattering terms. Berkeley, by contrast, knew the place with the intimacy of one who had lived and worked there for twenty years. He conceded that some colonists were of socially inferior origins. Others were not, and that is why he reeled off his catalogue of the better families. The matter of family backgrounds, though, was but a sidebar to a larger objective. It was important for Berkeley's diversification scheme to present Virginians as sober, industrious souls who were worthy of the king's grace. With royal encouragement for a short period of time, they would blossom in the manner of ancient Rome, and he would be Virginia's Romulus. The rhetoric was that of the playwright, perhaps, but Berkeley keenly appreciated how his words would resonate with his audience. Such was his confidence in his persuasiveness that he believed mere words could overbear objections to his plans. Truth to tell, they nearly did.

Sir William Berkeley was an extraordinary man whose marks upon his adopted homeland ran deep. The portrait by Fischer clouds rather than illuminates the governor and his relationship to the genesis of American culture.¹⁹

¹⁸ *Discourse*, 3–4.

¹⁹ For a different rendering see Billings, "Berkeley and Effingham," 33–41, 44–45.

David Hackett Fischer's Rejoinder

WARREN Billings's interest in Sir William Berkeley is welcome, much needed, and long overdue. I wish him well in his work. But he would be well advised to dig deeper in the archives, and to think things through again, before rushing into print.

Billings is correct on two points at issue. *The Lost Lady* was indeed first published in 1638, not 1639. My source appears to have been the second edition. *Mea culpa!* He may also be right in redating William Berkeley's *A Discourse and View of Virginia* from 1663 to 1662. Checking again, I find that Joan de Lourdes Leonard quietly suggested this correction many years ago in a footnote published by the *Quarterly*.¹ But I missed it. So did Billings, by the way, in an essay published since *Albion* went to the publisher. *Nostra culpa!*²

On every other point, Billings is mistaken. More sources are available on Berkeley than he appears to be aware of. His thinking about this difficult subject also shows a persistent pattern of anachronism that requires correction.

In regard to Berkeley's last marriage, Billings is wrong in asserting that evidence "is all but nonexistent." He will find in the Kent Archives Office letters written by Frances Berkeley to her kinsman Robert Filmer while she was the governor's wife. In other collections he will also find correspondence about her.³ The tone of these manuscripts confirms the description of the marriage in the governor's will, which is quoted accurately in *Albion* and in any case is not to be dismissed as "legal boilerplate," an idea as anachronistic as the image in which it is expressed.⁴ Other evidence also indicates that Berkeley's first marriage, as well as this one, was happy, close, and loving—though not in the manner of Victorian

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¹ Joan de Lourdes Leonard, "Operation Checkmate: The Birth and Death of a Virginia Blueprint for Progress, 1660–1676," *William and Mary Quarterly*, 3d Ser., XXIV (1967), 49n.

² Billings, "Berkeley and Effingham: Who Cares?" *Virginia Magazine of History and Biography*, XCVII (1989), 37n.

³ E.g., Frances Berkeley to Robert Filmer, n.d. [ca. 1672, 1673, 1674], Filmer MSS, U120 C14, Kent Archives Office, Maidstone, Kent; Thomas Lord Culpeper to Judith Culpeper, May 14, 1680, Leeds Castle MSS, *ibid*.

⁴ Recent scholarship on wills demonstrates that their language is at the same time formulaic and individually meaningful. There were many formulae from which to choose. See Michel Vovelle, *Piété baroque et déchristianisation en Provence au XVIIIe siècle: Les attitudes devant la mort d'après les clauses des testaments* (Paris, 1973); Samuel Cohn, *Death and Property in Early Modern Siena, 1205–1800: Strategies for the Afterlife* (Baltimore, 1988).

domesticity, with which Billings anachronistically confuses an earlier connubial ideal.⁵

On Berkeley's early career and his brother's role in introducing him at court and promoting his interests there, the county record offices at Gloucester and Taunton and also the Public Record Office hold materials establishing his brother's eminence at court as early as 1636–1637, twenty years before his peerage.⁶

As to Berkeley's official conduct, the *Oxford Dictionary* defines peculation as "the appropriation of public money or property by one in an official position."⁷ That is precisely what Berkeley did throughout his career. While governor of Virginia he built the largest fortune in British America, using public funds to develop his estate at Green Spring, taking tax revenues raised for other purposes, keeping public fees and seizures, and seeking the customs for his own use (not for his brother, who was the agent in this transaction and who had his own much larger opportunities). On earlier occasions Berkeley had also sought and obtained for himself English customs on Virginia tobacco.⁸ If Billings seriously believes that the governor wished only to break even from his office, he does not know his man. Whatever Berkeley's rationale may have been in the Arlington letter, the fact of peculation remains clear, and the quotation in *Albion* is true to its larger context. *Albion* notes that these acts were done openly and "were the vices of the age" (p. 209). Peculation was not the same as theft in that era, as Billings appears to believe—another anachronism in his thinking.⁹

Berkeley's attitudes toward merchants were repeatedly expressed in passages quoted accurately in *Albion* and in other statements as well. He

⁵ John Lord Berkeley to Edward Hyde, Sept. 25, 1650, Bodleian Library, Oxford.

⁶ J. R. Pagan, "Notes on Sir William Berkeley," ms., Gloucestershire Record Office, Gloucester, Eng.; S. W. Bates Harbin, *Members of Parliament for the County of Somerset* (Taunton, Eng., 1939); H.P.R. Finberg, "Three Studies in Family History: Berkeley of Berkeley," in Finberg, ed., *Gloucestershire Studies* (Leicester, Eng., 1957), 145–159. In the matter of the title of John Lord Berkeley see Henry St. George, *The Visitation of the County of Somerset in the year 1623*, ed. Frederic Thomas Colby (London, 1676). For his eminence at court as early as 1636–1637 see *Calendar of State Papers, Domestic Series*, vol. X, 1636–1637, ed. John Bruce (London, 1867), 380, 392, vol. XI, 1637, 82, 145, 310, 312, 321, 324, 336, 413. For similar but not identical judgments on the importance of John Lord Berkeley to William Berkeley's career see Edmund S. Morgan, *American Slavery/American Freedom: The Ordeal of Colonial Virginia* (New York, 1975), 146.

⁷ "Peculation," *The Compact Edition of the Oxford English Dictionary: Complete Text Reproduced Micrographically*, 2 vols. (Oxford, 1971).

⁸ Philip A. Bruce, *Institutional History of Virginia in the Seventeenth Century*, 2 vols. (New York, 1910), II, 348.

⁹ Much material in the Public Record Office, the British Library, and Longleat House documents Berkeley's fortune and his use of public wealth for private gain. A very harsh indictment of Berkeley's ethics, based on these sources, appears in Stephen Saunders Webb, 1676: *The End of American Independence* (New York, 1984), 18, 132, 140–141. *Albion* takes a mediating position, which Billings misrepresents.

characterized these men as "avaricious persons, whose sickle hath bin ere long in our harvest already." On another occasion he wrote, "We cannot but resent that forty thousand people should be impoverish'd to enrich little more than forty Merchants."¹⁰ At the same time, Berkeley himself actively engaged in commerce and promoted trade—a paradox that operated generally among Virginia's elite. Billings imposes our economic categories on Berkeley—anachronism once again—and sees only one side of this ambivalence, which *Albion* tries to represent in a rounded way.

On the subject of slavery, Berkeley's letter to Robert Smith remains (despite Billings's efforts to explain it away) a discussion of both war and slavery and an explicit proposal to open a slave trade in Indian women and children. *Albion* notes that this effort failed but that Berkeley actively encouraged the development of African slavery—a subject on which Billings stands mute.¹¹

Finally, on the purposes of Berkeley's promotional pamphlet on Virginia, that brief work discusses opportunities for younger sons repeatedly and at length, in passages quoted accurately in *Albion*. The pamphlet also had other purposes, but in this and other acts Berkeley actively recruited younger sons of armorial families—with high success.

For a historian, accuracy in the smallest detail is a matter of the largest importance. Where errors appear in my book, I have tried to correct them in reprintings. But if a scholar has an obligation to be true to even the most humble historical fact, a critic also has a responsibility to respect an author's intentions, to understand a text as written, and to discuss it in an accurate and fair-minded way.

Billings does none of this. He makes no effort to come to terms with the main lines of *Albion's* interpretation, which finds that Berkeley was not the cardboard villain of liberal legend, or a failed progressive, or an archetype of Americanization as Billings himself appears to believe. He was a more complex and interesting figure—one of enduring importance in American history and yet very much the product of his time and place. *Albion* finds that Berkeley was the leading architect of an entire ethos in Cavalier Virginia—the arbiter of a moral order which was as distinctive and as highly developed as that of Puritan Massachusetts. This cultural system embraced a special idea of family that appeared in Berkeley's own marriages. It included an ethic of wealth and work that informed his attitudes toward merchants and trade. It encompassed ideas of privilege and responsibility that guided his political behavior. It entailed a hierarchical order that caused Berkeley to promote servitude, Indian slavery, and African bondage not merely as a solution to economic needs but as a

¹⁰ Berkeley, *Discourse and View of Virginia*, 6–7; H. R. McIlwaine, ed., *Journal of the House of Burgesses of Virginia, 1619–1658/59* (Richmond, Va., 1915), 74; for Berkeley's authorship see Morgan, *American Slavery/American Freedom*, 148n.

¹¹ *Albion* contains an error of transcription in this letter: "example and instruction" should read "example of instruction." Otherwise, all quotations at issue here are accurate, with spelling and punctuation modernized as noted in the book (p. 906).

response to social and even moral imperatives. It also included a principle of hegemonic freedom that led him to promote an autonomous elite of younger sons from armigerous families, who ruled Virginia for two centuries.

Every aspect of Berkeley's career that is at issue here, and others discussed in *Albion*, were interlocked. Together they manifested a deep consistency of value and belief. To paraphrase Perry Miller on Puritanism, they also comprised a constellation of ideas basic to any comprehension of the American mind.

In Virginia, that ethos did not rise spontaneously from the environment or the material order. It was an artifact of conscious will and purpose. The defeat of Berkeley's plans for economic diversity and the disaster that ended his political career should not blind us to his importance in forming Virginia's elite, his leadership in drafting its fundamental laws, his part in developing its unique system of race slavery, and his primary role in shaping a social system that expressed his deepest moral convictions. When we come to render our judgments on this man, we must balance failure against success and vice against virtue, all combined in the career of a complex leader whose values were very different from ours and yet profoundly important to the making of our contemporary world.

Billings responds to none of this in a serious way. In that sense, his essay is not really a critique of my book at all. There is nothing in it to contradict *Albion's* interpretation in any fundamental way and much to confirm it on a subject that is too important to be lost in narrow points of pedantry.

Further, I hope we can all agree that even in this age of relentless privatization, specialized historical subjects are not a form of private property. A difference of interpretation (or worse, a similarity) is not to be prosecuted as an act of trespass. The progress of knowledge requires a larger and more generous spirit.